

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 4:06 CR 372 DJS
)	DDN
ROCH Z. KOBEA,)	
)	
Defendant.)	

**ORDER AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**

This action is before the Court upon the pretrial motions of the parties which were referred to the undersigned United States Magistrate Judge pursuant to 28 U.S.C. § 636(b). An evidentiary hearing was scheduled for July 20, 2006.

On July 20, 2006, defendant appeared in open court, with counsel, and advised the undersigned that he had decided not to raise any issues by way of pretrial motions. He thereupon waived his rights to file pretrial motions and to have a pretrial hearing.

Accordingly,

IT IS HEREBY ORDERED that the motion of the government for a pretrial determination of the admissibility of defendant's confession (Doc. 13) is denied as moot.

IT IS HEREBY RECOMMENDED that the motion of defendant to strike surplusage (Doc. 19) be denied as moot.

IT IS FURTHER RECOMMENDED that the motion of defendant to suppress statements (Doc. No. 20) be denied as moot.

The parties are advised they have until July 31, 2006,¹to file written objections to this Order and Recommendation. The failure to file objections may result in a waiver of the right to appeal issues of fact.

A handwritten signature in cursive script that reads "David D. Noce". The signature is written in dark ink and is positioned above a horizontal line.

DAVID D. NOCE
UNITED STATES MAGISTRATE JUDGE

Signed on July 20, 2006.

¹This is 11 calendar days from July 20, 2006. See Federal Rule of Criminal Procedure 45(a)(2).